

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

ARTHUR MIDDLETON,

Plaintiff,

v.

WALLENIUS WILHELMSEN LOGISTICS
AMERICAS, LLC

Defendant.

Case No. 2:25-cv-01471-DCN

COMPLAINT

NOW COMES Plaintiff, Arthur Middleton, by and through its attorneys Bluestein Law Firm, P.A., and as and for its Complaint against the above-named defendant, alleges upon information and belief as follows:

1. Plaintiff, Arthur Middleton, is a citizen of South Carolina
2. Wallenius Wilhelmsen Logistics Americas, LLC is corporation incorporated under the laws of Delaware and doing business in South Carolina.
3. Upon information and belief, this Honorable Court has jurisdiction pursuant to 28 U.S.C. § 1332 as the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs, and is between citizens of a State and citizens or subjects of a foreign state.
4. The United States District Court for the District of South Carolina is the proper venue for this action pursuant to 28 U.S.C. § 1391 as a substantial part of the events or omissions giving rise to the claim occurred in this judicial district.

THE PARTIES

5. At the time of the incident Plaintiff Arthur Middleton was working for Ports of America.

FACTS

6. On March 7, 2022 he was working on a MAFI trailer and step on deck of the trailer and the wooden deck gave away.
7. As result of deck of MAFI trailer failing he was seriously injured.
8. As result of serious injuries the Plaintiff had to have several surgeries.
9. Middleton injured his left foot, left ankle, neck and back.
10. Wallenius Wilhelmsen Logistics Americas, LLC job is to maintain and provide a safe trailer to work on.

**CLAIMS
FOR A FIRST CLAIM OF RELIEF
(NEGLIGENCE)**

11. Arthur Middleton restates and realleges each and every allegation contained in the above numbered paragraphs 1 through 21.
12. The negligence of Defendant, its agents, servants, or employees, acting individually or concurrently caused Plaintiff's injuries in the following respects:
 - a. failing to provide assistance to Plaintiff enabling him to complete his assigned duties in a safe manner;
 - b. failing to warn Plaintiff of dangerous conditions;
 - c. failing to provide equipment to Plaintiff enabling him to work in a safe manner;
 - d. failing to properly maintain the MAFI trailer;
 - e. Other acts of negligence that will be shown at trial of this matter.
13. As a direct result of the accident, Plaintiff has sustained and will continue to sustain injuries and damages, which all will be shown more fully at the trial of this matter.

14. In addition, Plaintiff has sustained the following compensable elements of damages as a result of this negligence:

- a. loss of wages;
- b. loss of wage-earning capacity;
- c. past and future medical expenses;
- d. loss of fair market value of household services;
- e. pain and suffering;
- f. mental anguish;
- g. permanent impairment to his person;
- h. scarring; and
- i. loss of enjoyment of life.

PLAINTIFF'S PRAYER

WHEREFORE, based on the foregoing, Plaintiff prays:

- a. That his Complaint be deemed good and sufficient;
- b. That process and due form of law, according to the practice of this Honorable Court, issue against Defendant, citing it to appear and answer under oath, all and singular the allegations of aforesaid;
- c. That Plaintiff may have judgment in his favor, as Plaintiff, against Defendant for such amount as this Court may deem appropriate for all legal and allowable damages arising out of his serious injuries, plus pre-judgment interest, and costs of this action;
- d. That all expert fees be taxed as costs; and

e. That this Honorable Court grant Plaintiff such and other and further relief, general and equitable relief that the justice in this cause may require, and to which he may otherwise be entitled.

BLUESTEIN LAW FIRM, P.A.

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ATTORNEYS FOR PLAINTFF

March 7, 2025
Mount Pleasant, South Carolina